

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DAVID BESCHAUER,	)	
Plaintiff,	)	Civil Action No. 7:16cv00083
	)	
v.	)	
	)	
BLAND CORRECTIONAL CENTER	)	By: Elizabeth K. Dillon
MEDICAL AUTHORITY, <i>et al.</i> ,	)	United States District Judge
Defendants.	)	

**FINAL ORDER**

In accordance with the memorandum opinion entered this day, it is hereby ORDERED that Beschauer's complaint is DISMISSED without prejudice; defendants' motions to dismiss (Dkt. Nos. 19 and 22) are DENIED as moot; defendants' motion to amend their brief (Dkt. No. 25) is DENIED as moot; and the Clerk shall TERMINATE this action from the active docket of the court. The court notes that its dismissal of Beschauer's complaint is without prejudice to his opportunity to refile his claims in a separate civil action subject to the applicable limitations period.

The Clerk is directed to provide a copy of this order and the memorandum opinion to all counsel of record and to Mr. Beschauer, plaintiff.

Entered: January 12, 2017.

*/s/ Elizabeth K. Dillon*  
Elizabeth K. Dillon  
United States District Judge